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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/858,340         | 05/15/2001          | Albert Rackett        | 19838001910            |

1 SEP 04 2001  
O I P E J C T K A  
PATENT & TRADEMARK OFFICE  
20350  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 1080  
FORMALITIES LETTER



\*OC000000006297419\*

Date Mailed: 07/16/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

09/05/2001 AOSMAN1 00000028 201430 09858340

FILED UNDER 37 CFR 1.53(b)

01 FC:201 355.00 CH  
02 FC:203 18.00 CH  
03 FC:205 65.00 CH

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$18.
  - \$18 for 2 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 438.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Please type a plus sign (+) inside this box → 

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

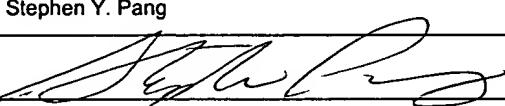
Total Number of Pages in This Submission

|  |                        |
|--|------------------------|
| Application Number                       | 09/858,340             |
| Filing Date                              | May 15, 2001           |
| First Named Inventor                     | Rackett, Albert E.     |
| Group Art Unit                           | 2615                   |
| Examiner Name                            | Unassigned             |
| Total Number of Pages in This Submission | Attorney Docket Number |
|  | 019838001910           |

## ENCLOSURES (check all that apply)

|   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form   | <input type="checkbox"/> Assignment Papers<br>(for an Application)                      | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Response   | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition    | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                                      | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s)<br>(please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                                    | <input type="checkbox"/> Terminal Disclaimer  | Executed Declaration and Power of Attorney; Return Postcard                                |
| <input type="checkbox"/> Information Disclosure Statement                               | <input type="checkbox"/> Request for Refund   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                         | <input type="checkbox"/> CD, Number of CD(s)  |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application              |   | Remarks  |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.   |

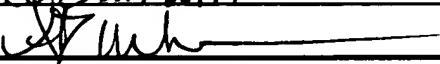
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                          |   |  |
|--------------------------|---|--|
| Firm and Individual name | Townsend and Townsend and Crew LLP<br>Stephen Y. Pang                               |  |
| Signature                |  |  |
| Date                     | 8/24/01   |  |

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

8/29/01

|                       |  |              |
|-----------------------|--|--------------|
| Typed or printed name | Aimee Durham   |              |
| Signature             |  | Date 8/29/01 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PA 3165944 v1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

**PATENT**  
Attorney Docket No.: 019838-001910US

Assistant Commissioner for Patents  
Attn: Box Missing Parts  
Washington, D.C. 20231

On August 29 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Since Lueh

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Albert E. Rackett

Application No.: 09/858,340

Filed: May 15, 2001

For: Method and System for Predictive Control for Live Streaming Video/Audio Media

Examiner: Unassigned

Art Unit: 2615

**TRANSMITTAL LETTER –  
RESPONSE TO NOTICE OF MISSING  
PARTS**

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated July 16, 2001, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration and Power of Attorney
- 2) Copy of Notice of Missing Parts

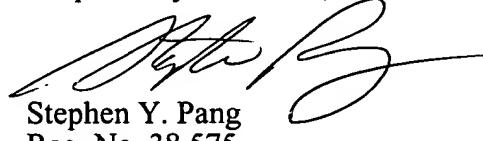
Please charge Deposit Account No. 20-1430 for the following fees:

|               |   |          |
|---------------|---|----------|
| Small Entity: | (a) Filing Fee (§ 1.16(a)) (Small Entity) | \$355.00 |
|               | (b) Excess Claims Fees (§ 1.16(b), (c)):  |          |

|                                 |             |                 |
|---------------------------------|-------------|-----------------|
| 22 - 20 = 2                     | x \$9.00 =  | \$18.00         |
| 3 - 3 = 0                       | x \$40.00 = | \$0.00          |
| (c) Missing Parts Surcharge     |             | \$65.00         |
| <b>TOTAL FEES TO BE CHARGED</b> |             | <b>\$438.00</b> |

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,



Stephen Y. Pang  
Reg. No. 38,575

**Customer No. 20350**

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PA 3165945 v1